

In the Drawing:

In a separate letter to the Official Draftsperson (copy attached) certain changes have been proposed, subject to the approval of the Examiner.

REMARKS

As a result of the outstanding Office Action, claims 1-6 stand rejected. Claims 1-6 are presented for reconsideration.

Voluntary Amendment to the Drawing:

Subject to the Examiner's approval, FIGURE 2 has been amended by adding a box, as shown in the attached drawing. The box is described in the specification on page 5, line 14. No new subject matter has been added.

Rejection of Claims 1-3 and 6 Under 35 U.S.C. 102(e)

Claims 1-3, and 6 stand rejected as being anticipated by Etheridge ('637). Applicant respectfully traverses.

The subject application provides ease of use by allowing a user to draw a box around a portion of a waveform containing an anomaly (i.e., "selecting a feature that distinguishes the visually distinct waveform from other displayed waveforms") and thereafter the oscilloscope automatically selects the proper parameters to acquire that signal. Etheridge ('637) has no such teaching.

Etheridge ('637) does not include the following elements of claim 1. That is, Etheridge ('637) cannot anticipate the apparatus of claim 1 because Etheridge ('637) does not teach, show, or remotely suggest,

“(c) selecting a feature that distinguishes the  
visually distinct waveform from other displayed  
waveforms,

(d) automatically deriving acquisition parameters  
that discriminate between the selected feature and other  
features of the displayed waveforms,”

as called for in claim 1, and in similar language in claim 6.

Claims 2 and 3 depend from claim 1 and include all of the limitations of claim 1. Therefore, claims 2 and 3 are patentable over Etheridge ('637) for at least the same reason given above with respect to claim 1.

In view of the above, Applicant submits that the rejection has been overcome, and respectfully requests that the rejection of claims 1-3 and 6 under 35 U.S.C. 102 (e) be withdrawn.

Rejection of Claims 4-5 Under 35 U.S.C. 103 (a).

Claims 4-5 stand rejected under 35 U.S.C. 103 (a) as being unpatentable over Etheridge ('637) in view of Taraki ('276). Applicant respectfully traverses.

Applicant respectfully submits that claims 4 and 5 cannot be rendered obvious by the combination of Etheridge ('637) in view of Taraki ('276) because claim 4 includes all of the limitations of claim 1 and all intervening claims, and the arrangement of elements in the subject invention as define in claims 4-5 differs markedly from the resulting arrangement of such a combination.

As noted above, Etheridge ('637) does not include, teach, show, or remotely suggest,

“(c) selecting a feature that distinguishes the  
visually distinct waveform from other displayed  
waveforms;

(d) automatically deriving acquisition parameters  
that discriminate between the selected feature and other  
features of the displayed waveforms,”

as called for in claim 1. Taraki ('276) also does not include, teach, show, or remotely suggest,

“(c) selecting a feature that distinguishes the  
visually distinct waveform from other displayed  
waveforms;

(d) automatically deriving acquisition parameters  
that discriminate between the selected feature and other

features of the displayed waveforms”, as called for in claim

1.

There is no teaching in either reference of how such a combination could be made. Moreover, a fair combination of the teachings of Etheridge ('637) and Taraki ('276) can only result in an arrangement totally lacking this feature.

If somehow, such a combination could be made the result would not exhibit the same structure, nor operate in the same fashion as the subject invention.

That is, the proposed combination would not result in, show, or suggest:

“(c) selecting a feature that distinguishes the  
visually distinct waveform from other displayed  
waveforms;

(d) automatically deriving acquisition parameters  
that discriminate between the selected feature and other  
features of the displayed waveforms,”

as called for in claim 1, claim 4 or claim 5.

In view of the above, Applicant submit that grounds for the rejection have been overcome, and respectfully requests that the rejection of claims 4-5 under 35 U.S.C 103(a), be withdrawn.

Additional Fees:

No fee, other than the extension fee, is believed due. However, if an additional fee is due, please charge that fee to Deposit Account 20-0352.

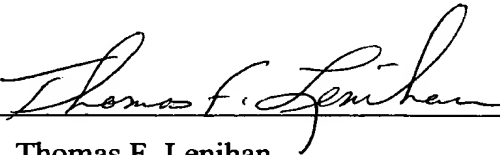
Conclusion:

In view of all of the above, Applicant submits that the subject application is in a condition for allowance, and respectfully requests such action.

Respectfully submitted,

Kayla R. Klingman, et al.

By: \_\_\_\_\_



Thomas F. Lenihan  
Reg. No. 32,152  
(503) 627-7266 (Voice)  
(503) 627-7119 (Fax)

16 September 2002  
Tektronix, Inc.  
P.O. Box 500  
Delivery Station 50-LAW  
Beaverton, OR 97077

CIPE 1024  
SEP 23 2002  
PATENT & TRADEMARK OFFICE

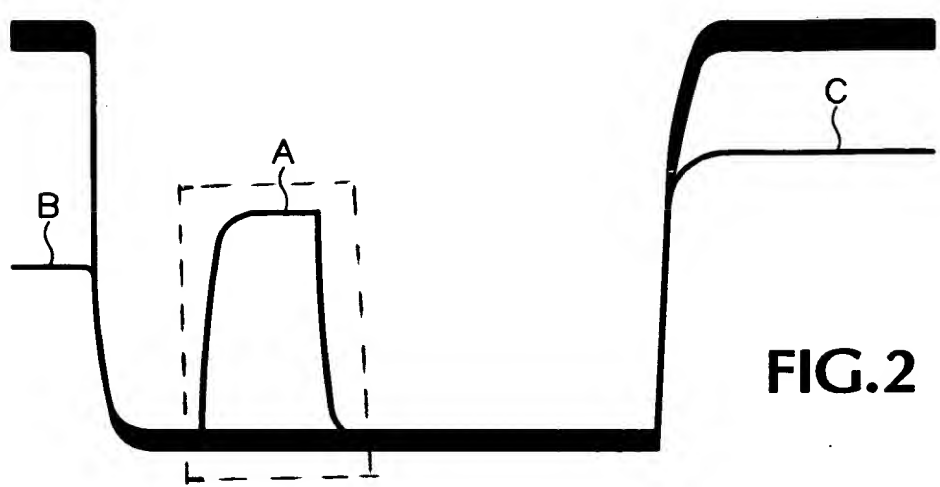


FIG. 2

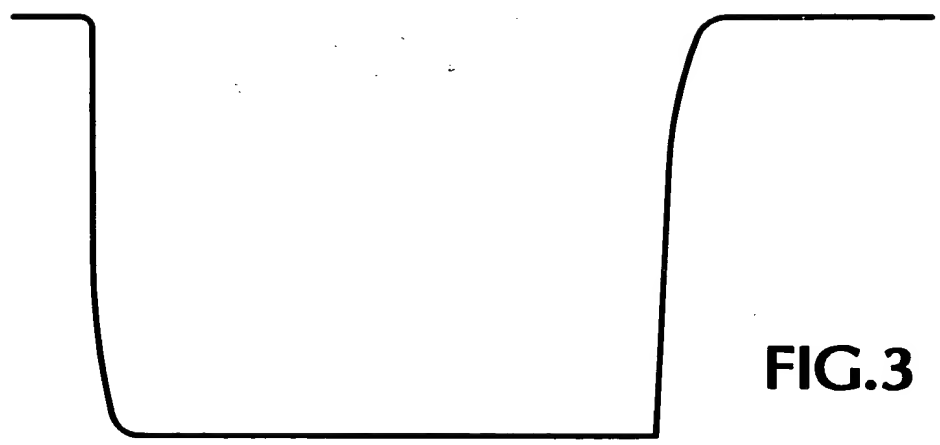


FIG. 3

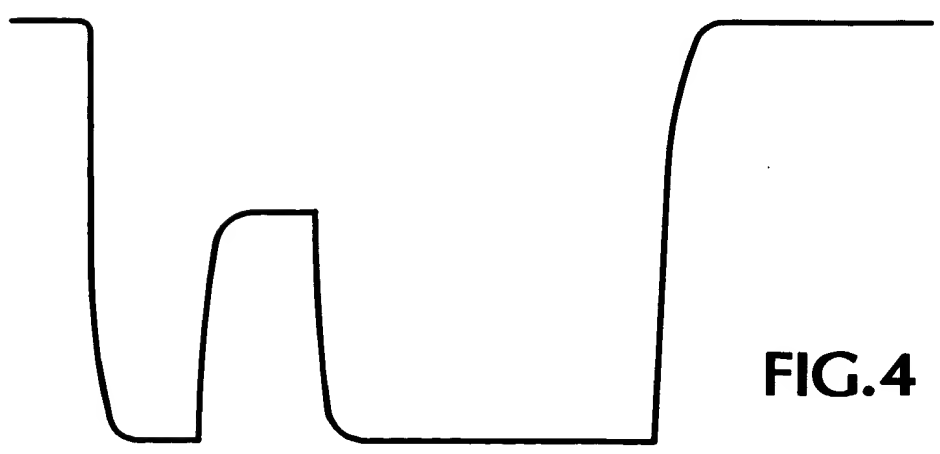


FIG. 4